
Introduced by Senator Wolk

February 26, 2009

An act to add Section 7311.25 to the Labor Code, relating to employment safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 478, as introduced, Wolk. Employment safety: manlifts.

Existing law requires that a conveyance, as specified, be erected, constructed, installed, altered, tested, maintained, serviced, and repaired by a person certified by the Division of Occupational Safety and Health as a certified competent conveyance mechanic.

This bill would authorize the owner or operator of agricultural production, processing, and handling facilities, as defined, to, instead, designate a competent employee to maintain and test, as specified, the manlifts used at the facilities.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7311.25 is added to the Labor Code, to
- 2 read:
- 3 7311.25. (a) The following meanings apply for purposes of
- 4 this section:
- 5 (1) "Agricultural production, processing, and handling facilities"
- 6 includes grain elevators, feed mills, flour mills, rice mills, rice
- 7 dryers, and other similar facilities.
- 8 (2) "Applicable Elevator Safety Orders" means the Elevator
- 9 Safety Orders referenced in Subchapter 6 (commencing with

1 Section 3000) of Chapter 4 of Division 1 of Title 8 of the California
2 Code of Regulations, and any successors to those orders.

3 (b) Notwithstanding Section 7311.2 or any other provision of
4 this chapter, an owner or operator of agricultural production,
5 processing, and handling facilities may designate a competent
6 person in his or her employ to maintain, repair, service, lubricate,
7 or test manlifts installed and used at the facilities if the manlifts
8 are maintained and inspected in accordance with applicable
9 Elevator Safety Orders. The designated competent person need
10 not be a certified competent conveyance mechanic.

11 (c) The competent person so designated may inspect the manlifts
12 each month as required by applicable Elevator Safety Orders, but
13 only a certified competent conveyance mechanic may perform the
14 annual inspection required by Section 7304.